

**NORTH RIDGEVILLE CITY COUNCIL  
MINUTES OF REGULAR MEETING DECEMBER 15, 2014**

**CALL TO ORDER:** 7:30 P.M.

President Corcoran: Calling to order the Monday, December 15, 2014 regular Council meeting.

**INVOCATION:**

Led by President Corcoran.

**PLEDGE OF ALLEGIANCE:**

Led by President Corcoran.

**ROLL CALL:**

Present were Council members Terrence Keenan, Dennis Boose, Robert Olesen, Roseanne Johnson, Dr. Ronald Arndt, Bernadine Butkowski and President Kevin Corcoran.

Also present was Mayor David Gillock, Safety-Service Director Jeffrey Armbruster, Law Director Andrew Crites, City Engineer Scott Wangler, Auditor Chris Costin and Clerk of Council George E. Smith.

**MINUTES - Corrections (if any) and approval:**

President Corcoran: You have before you the Council meeting minutes of December 1, 2014. Are there any corrections or objections to approving those minutes? Seeing none, those minutes are approved.

President Corcoran: Please note the Board of Zoning and Building Appeals meeting minutes of November 20, 2014 and the Planning Commission meeting minutes of December 9, 2014.

**LOBBY:**

President Corcoran: That brings us to the lobby session of the meeting. This is your opportunity to address Council. Unfortunately, this is not an interactive session and we do not have questions and answers. It is just an opportunity for you to tell us what your problems are and we will have the appropriate people get back to you. If you are going to speak, please step up to the podium and state your name and address for the record. You will have three minutes to speak on the topic of your choice. Is there anyone that would like to address Council this evening?

John Vrtachnik, 5553 Main Ave: stated there is a hidden danger in the City of North Ridgeville. There is a natural gas leak and was told by Columbia Gas that it will take six to seven months to fix but was also told it was not dangerous.

President Corcoran: Thank you. Is there anybody else that would like to address Council this evening? Seeing none, we'll move on to the Administrator's reports. Mr. Mayor.

**ADMINISTRATORS REPORTS:**

**A. Mayor:** Thank you Mr. President. First I would like to respond to Mr. Vrtachnik's comments: he and I have discussed this. I have contacted Columbia Gas regarding his particular

leak; there is a strong odor of mercaptan which is the stuff they put in natural gas so that you can smell it. Columbia Gas informed me that it was a nonhazardous leak. Although, through the resident, and I have had one myself, and you are smelling it – that is not what you want to hear. You want it fixed, but Columbia Gas assures me it is not hazardous and it will be put in their work stream. Hopefully they will get to it soon. I have been following up with them on occasion. When I had mine, in a situation such as that one, in a nonhazardous leak, it could take up to two years before they come replace it. We will keep an eye on it and we will check with them. It is not something any resident wants to put up with even if it is nonhazardous. You don't want to put up with that smell while you are there. We will follow up with it.

Secondly on my list of things to do this evening: we have a number of Ordinances and Resolutions that have to be addressed this evening.

Moved by Mayor Gillock and seconded by Johnson to suspend the By-laws so these could be entered into the agenda tonight and have T numbers assigned to the Resolutions and Ordinances.

Mayor Gillock: I will tell you that the first three are for renewal levies which we have coming up in May. We have a police levy, a streets, roads and bridges levy and a fire levy that renew in May. The deadline for getting them to the Board of Elections is February 4, 2015. There are two Ordinances that have to be passed to get it on the ballot. This is the first one. These three declare it a necessity to renew the taxes and once they are passed tonight with the emergency, we will send them to the County Auditor that will certify the millage for the renewal. They will have ten days to get them back to us and then during the two meetings in January, we will pass the other legislation that goes along with it. So that is the first three which is the renewal levies.

There are then six Ordinances which are being introduced by Councilwoman Johnson which have to do with closing our books; doing our temporary appropriations and so forth for end of the year which I would, as we go, ask Auditor Costin to speak to those. The last one is an Ordinance regarding the firefighter's contract.

President Corcoran: Are there any comments or questions on the motion? All those in favor say yes. Those opposed say no.

Yes – 7

No – 0

Mayor Gillock: I would ask that when we do that, they get put in the first reading. Will the Council Clerk at this time please assign temporary numbers to these Resolutions and Ordinances?

Clerk of Council Smith: The first three that you mentioned were Resolutions, correct?

Mayor Gillock: Yes. The first one should be the Resolution for streets, roads, bridges.

Clerk of Council Smith: Mr. Mayor, that is going to be temporary number 127. The second one for police will be temporary 128, Mayor. Regarding fire will be 129.

President Corcoran: The next one is the appropriation Ordinance.

Clerk of Council Smith: That is temporary 130.

President Corcoran: Reimbursement of administrative expenses will be 131. The advanced repayments of various funds will be 132. Transfers from the General Fund will be 133. Transfer to Payroll and Benefits Reserve Fund will be 134. The next one is the temporary appropriations of money which is 135. The last one is 136 – firefighter's contract.

Mayor Gillock: Thank you. Update on power outages: during the last couple of weeks we had several calls regarding power outages, especially in the Grant, Bainbridge, Ridgefield area. We have been in contact with First Energy. First Energy provided us with the following update: the outage that occurred on Friday, December 5<sup>th</sup> was caused by a squirrel which is not uncommon. They get in the lines and transformers. Most of the remaining issues were caused by subcontractors that they have doing maintenance on the 64,000 volt high tension or high power line that they call Shawville 56. The contractor installs a temporary jumper at times so they can replace conductors and so forth safely. Unfortunately, at different times the jumper's burn through and when they do, it trips the system. First Energy met with the subcontractor on December 11<sup>th</sup> to discuss the outages they have been causing and reviewing what they need to do or can do to try and prevent future outages as much as possible. The work being done by the subcontractor is scheduled to be done by December 22<sup>nd</sup>. While they are not guaranteeing that there won't be any outages between now and December 22<sup>nd</sup>, they do anticipate the reliability to be vastly improved after that date.

Next I want to mention that for all those residents that travel Jaycox; we met with the Ohio Public Works Commission last week. I am on their Board and the Executive Committee and Jaycox Road, Phase 1, Reconstruction Project was recommended for approval. It still has to go to the state, but these are generally passed when they get to the state. We asked for a grant of \$345,488.00 out of a total project cost of \$585,573.00. This would include reconstruction, putting down six inches of pulverized asphalt plus three inches of new intermediate asphalt and then a surface course to provide two eleven foot lanes with two foot wide asphalt shoulders and this would go from behind the Speedway; it won't go all the way up to Center Ridge Road because that is part of the Center Ridge Road Widening Project. So, behind the Speedway, all the way down to just past Liberty School. Next year we would do Phase 2 which would take it from there to Mills. That is great news for those that live and travel on Jaycox. We are really waiting for that to get going this coming summer.

Lastly, we had a resident visit with us today that called me last week to commend our service crews with a problem that he had – what a great job they did and he liked it so much he wanted to come in and talk about it, so Mr. Antczak came in today and we met with him. He wanted to give these guys a cash prize and we told him we couldn't do that. So he is going to buy pizza for

the Service Garage because he really appreciated the work that these individuals did and figured it probably saved him hundreds of dollars. He was having flooding problems, which is not unusual, but it was found out that years ago when the gas company ran a gas line, it went through the storm sewer – crushing it and blocking it. Our guys were able to locate that and dig it up and fix it. He wanted to publically recognize us. I said I would be glad to give these guys kudos, and although they are all great guys over there, in this case: Tom Kogelman, Bob Roth, Mike Deiderich, Ron Horn and Blaze Miller preformed superbly doing the job that we like them to do, the way we like them to do it and the resident recognized that and I am real happy to give these guys some acknowledgement and thanks for a job well done.

Moved by Mayor Gillock and seconded by Butkowski to adjourn into executive session after the Administrator’s Reports to discuss negotiations.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7

No – 0

Mayor Gillock: Thank you Mr. President.

President Corcoran: Thank you, Mayor. Mr. Safety-Service Director.

**B. Safety-Service Director:** I would like you to refer to the map that I gave you with regard to the main line dye testing of sub-basin 5, 6, 7 and 8 (**attached Exhibit “A”**). The outlined area is marked in red as what URS defines as 5, 6, 7 and 8. On December 15<sup>th</sup> – actually today, they started popping manholes on the sanitary sewers. They are going to inspect these manholes at this point. Beginning in mid-February, they are going to begin doing the main line dye testing of the area 5, 6, 7 and 8; with the idea of finishing the field work by the end of April with drafting the report in May. Now there have been some questions as to some of my highlights on there as to what is done. If you see those, I will define those at a later point. Rather than getting into this at this point; I’m not sure exactly whether we are done or completed or where we are in that process. I have to read through further to my notes. I was only speaking tonight on 5, 6, 7 and 8. What that means is 144,000 feet of sewers are going to be looked at in 5, 6, 7 and 8. There is going to be dye put in the storm sewers which if they leak over to the sanitary, we will be able to see that dye. They will be filling the sewers up with plugs and simulating the rainfall simulation on the public property which is actually rainfall. They are going to fill it up with fire hydrant water and should not in any way impact anyone. Yet again, we are not exactly sure as we move forward. There should be no impact to a homeowner in this dye testing. The purpose is to establish the records necessary so that when we go back into those pipes to fix the crossover connections, we will then fix it. This will get us the documentation of not only what manholes will need to be raised or fixed, but it will give me the documentation of the sanitary sewers of where the leaks are and where we are going to have to go in and patch them up. So the next step is to take this information and go back in and realign the sewers where it is needed and fix the manholes; not only if there is leakage in those but actually bring them up to grade if they are not at grade. That concludes my report. Thank you.

President Corcoran: Thank you Mr. Armbruster. Ms. Engineer.

**C. Engineer:** Thank you Mr. President. Weather permitting; I am shooting to close 83 tomorrow night at 8:00 P.M. I did everything in my power to avoid it, but there was no way of getting around it to get that Bainbridge waterline tied in. I went with making it as convenient as possible by doing it overnight. Doing it overnight gives us some other challenges and also the asphalt plants are closed which also provides us with some challenges. The way I met those challenges was going at 8:00 at night, work through the night making the connection and the earliest they can get concrete is 6:30 in the morning. So they will get concrete at 6:30 in the morning. It will be fast set concrete and I need four hours on that. The road will open by, if all things go as planned, the road should be opened by 8:00 with plates to allow that concrete to set. Our new asphalt machine at the Service Garage, the Falcon; typically when the asphalt plants are closed, you do a concrete repair that is temporary and then come back in the spring and rip up the concrete and put a permanent asphalt repair in. Because we have the Falcon, I was able to figure out a design that would work with the small batch the Falcon produces so that we will have a permanent repair and we won't have to open it again in the spring. So it should get rid of traffic issues in the spring. That concludes my report.

President Corcoran: Thank you. Mr. Auditor.

**D. Auditor:** Thank you Mr. President. Council should have already received their November monthly report. As the Mayor indicated, this is the year-end and there are several house cleaning Ordinances and Resolutions which are pretty much the same as last year. In most cases, these have been appropriated throughout the year. There is one new Resolution to transfer money into the Payroll Reserve Fund. Again, that was discussed in length in appropriations and this is the first year that we are setting up that reserve fund for future payoff of benefits on retirement and termination. Probably the best thing to do is as these come up for reading tonight, I will be glad to answer any specific questions on them individually. That concludes my report and my comments.

President Corcoran: Thank you Mr. Costin.

**E. Other Reports:**

President Corcoran: We have the November 2014 Mayor's Court report and the November 2014 Support Car report.

President Corcoran: There are no Council Committee reports.

**COUNCIL COMMITTEE REPORT(S):** None

President Corcoran: There is one piece of correspondence.

**CORRESPONDENCE:**

Clerk of Council Smith: Certificate of Result of Election received November 26, 2014 from the Lorain County Board of Elections regarding the November 4, 2014 General Election.

President Corcoran: We were supposed to go into executive session after Administrator's Reports. We will go into executive session and we will be back.

(Adjourned into executive session at 7:55 P.M.)

(Reconvened into City Council meeting at 8:38 P.M.)

President Corcoran: Ok, back on the record. There is no old business.

**OLD BUSINESS:** None.

President Corcoran: Now we are moving into the marathon session of new business. I should have mentioned this before; Mayor, with all those new temporary issues that we added; your motion in the beginning, and this is just a technicality – your motion was to suspend the By-laws. It was an afterthought that you threw in to put them under first readings. So, under new business, we are going to have one motion to put all of these under first readings – 127 through 136. Just so we don't run into any problems. Okay, new business. First up, Planning Commission.

**NEW BUSINESS:**

**Planning Commission recommendation(s) from the December 9, 2014 meeting:**

Clerk of Council Smith:

**APPLICANT:** Abby Twarek, ThenDesign Architecture (TDA)

**OWNER:** North Ridgeville City Schools, 5490 Mills Creek Lane

**REQUEST:** Review of the proposed North Ridgeville City School and Stadium

**LOCATION:** 34600 Bainbridge Road in an R-1 District  
Permanent Parcel Nos. 07-00-016-104-181 and 07-00-016-104-005

**PC ACTION:** **Postponed the application by a vote of five to zero until the regularly scheduled meeting in February 2015.**

President Corcoran: No Council action is required on that. Moving on now to T 124.

**Ordinance and Resolution Submittals**

Clerk of Council Smith:

**T 124-2014** AN ORDINANCE APPROPRIATING, VALUING, AND TAKING IMMEDIATE POSSESSION OF AN INTEREST IN REAL PROPERTY FOR THE PURPOSE OF WIDENING AND EXPANDING LEAR NAGLE ROAD ACROSS REAL PROPERTY HAVING PERMANENT PARCEL NOS. 07-00-009-113-062 AND 07-00-009-113-024.

(Introduced by Mayor Gillock)

Councilman Keenan: Mr. President, is there urgency here to get this in the sequence of readings and get this passed?

President Corcoran: Mr. Law Director?

Law Director Crites: Yes, most definitely. I want to ask that this be given a first reading tonight and have the readings waived and passed with the emergency. This has been requested from me that it would delay the Lear Road project otherwise.

Councilman Keenan: Is there a motion that I should make?

Law Director Crites: A motion to suspend By-laws to put it on for first readings.

Moved by Keenan and seconded by Johnson to suspend the By-laws to give T 124-2014 a first reading this evening.

President Corcoran: Are there any comments or questions?

Councilman Boose: Mr. President, I gave the counselor a call today, but you were tied up so I did have some questions on this. The Ordinance is titled an Ordinance appropriating, valuing and taking immediate possession of an interest and that taking immediate possession is also mentioned in the second “whereas”. Really what we are doing is we are taking the interest in a temporary easement, not taking possession of the property. Although other places within this Ordinance kind of says it that way, the title does not, nor does the second “whereas”. In Section 5 it talks about we have been unable to agree with the owners as to the purchase of said real estate – we aren’t purchasing the real estate, we are requiring a temporary easement. So I have some questions on how this is worded or how this could be worded better to make sure that we are all on the same page. My understanding is, and correct me if I am wrong, we need to temporarily have the easement to be able to do the construction on the road. At the end of the day, we are not taking the property, they get to keep it. It is going to be better than it was even before we took over. That is just not what this says.

Law Director Crites: If I may? Understood, but this is a bit of a unique situation, especially to have to appropriate a temporary easement is unique. But the language of the Ordinance, and this language is a common language used by public entities throughout the state – it is more about adherence to the statute and what you need to do to tell the world what the Council is authorizing your lawyer to do and that is to go commence an eminent domain action. An eminent domain action in taking a property interest is an eminent domain action. Be that interest being 150 acres of grandma’s house or be that interest in taking a little tiny strip of a temporary construction easement along the front of somebody’s house which this is here. This is why the language reads that way. I hear you that it does seem to be not as directly applicable to the actual facts of this one taking, but it is there to follow protocol with that state statute more than anything else. It is important to note that what it is happening here is just; and can I reiterate – I don’t think I did a good enough job the last time to make it clear why, not us, but our property acquisition people, came to us and told us why we have to take this interest. It is not so much that we could not come to terms with the owners about the amount that they have been offered and compensation for the interest because the difference between \$300 and \$500 is

relatively insignificant – it is probably out of school to even speak about that. It is about the fact that we don't have clear title here. These poor folks unfortunately had a death in the family and haven't gotten to probating the estate. If we don't move forward and take this and sit back and wait for them to clear the title, it may never happen and the project cannot afford that kind of delay. The taking that is happening here is being done, one could even say it is necessitated by the circumstances that we are presented with poor title much more than any kind of inability to find a meeting of the minds about the price.

Councilman Boose: Mr. President? We have several sections that talk about why we need to do this. Can we eliminate Section 5 that says we couldn't agree with the owners to purchase the real estate? We aren't purchasing the real estate.

President Corcoran: If you take out that Section, then what is the reason for the eminent domain action?

Law Director Crites: I most certainly would advise against removing the Section. If you wanted to for the sake of semantics clarify by adding the words "interest in real estate"...

President Corcoran: Or just "purchase in the said real estate interest."

Law Director Crites: That works as well-as our President so astutely suggests, if you would insert the word "interest" before the semicolon. One might also argue that real estate interests are also real estate.

Councilman Boose: Finally, in the Exhibit "A" in the title of it; is there some way, again, it clearly states temporary easement; could we also state something in writing that we are going to make sure that the property is restored to the original condition or better?

Law Director Crites: I would say no, because we have to do that. We don't have a choice.

Councilman Boose: I would like it in writing.

Law Director Crites: It is in writing.

Councilman Boose: If I was the property owner...

Law Director Crites: It is in writing. The writing is called the Ohio Revised Code. I'm not flippant. Councilman Boose, I understand your concerns, but if we were to try to tailor every eminent domain Ordinance into the exact specific needs and wants of every property owner, it would end up be like trying to do a fifty yard swim with sand bags around your ankle when you are in court and I would really advise against it.

Councilman Boose: Thank you.



Moved by Boose and seconded by Olesen to add the word “interest” in Section 5 just before the semicolon with the word real estate in it. So it is the second semicolon of the third line of that Section. So it would say from the previous semicolon – “the City of North Ridgeville has been unable to agree with the owner(s) as to the purchase of said real estate interest.”

President Corcoran: Are there any questions? All those in favor say yes. Those opposed say no.

Yes – 7                      No – 0

President Corcoran: Are there any questions on the suspension of the By-laws to move it to first readings? All those in favor say yes. Those opposed say no.

Yes – 7                      No – 0

President Corcoran: T 124 Amended will have a first reading this evening. T 125.

Clerk of Council Smith:

**T 125-2014** AN ORDINANCE APPROVING THE SALE OF CERTAIN PERSONAL PROPERTY OWNED BY THE CITY OF NORTH RIDGEVILLE PURSUANT TO O.R.C. SECTION 721.15(D).

*(Introduced by Mayor Gillock)*

Moved by Olesen and seconded by Butkowski to suspend the By-laws to give T 125-2014 a first reading this evening.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7                      No – 0

President Corcoran: T 125 has been added to first reading. T 126.

Clerk of Council Smith:

**T 126-2014** AN ORDINANCE TO LEVY A MUNICIPAL MOTOR VEHICLE LICENSE FEE PURSUANT TO OHIO REVISED CODE SECTION 4504.172.

*(Introduced by Mayor Gillock)*

President Corcoran: I am going to refer that to the Streets, Sidewalks and Bridges Committee.

Moved by President Corcoran and seconded by Arndt to place T 127, T 128, T 129, T 130, T 131, T 132, T 133, T 134, T 135 and T 136 on first readings.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7                      No – 0

President Corcoran: That is the end of new business. That brings us to the recess portion of the meeting. Would anyone like a recess?

**RECESS:**

Moved by Arndt and seconded by Boose to dispense with the recess portion of the meeting.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7

No – 0

President Corcoran: Okay, next we have first readings. First we have T 104.

**FIRST READINGS:**

Clerk of Council Smith:

**T 104-2014** AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MULTI-JURISDICTIONAL AGREEMENT BETWEEN THE CITY OF AVON AND VILLAGE OF SHEFFIELD AS REQUESTED BY THE OHIO ENVIRONMENTAL PROTECTION AGENCY TO ENSURE UNIFORM STANDARDS, COMPLIANCE AND ENFORCEMENT FOR THE OPERATION OF THE FRENCH CREEK WASTEWATER TREATMENT PLANT.

(Introduced by Mayor Gillock; Referred to Utilities on 10/20/2014; Utilities on 11/17/2014; Report accepted on 12/01/2014)

President Corcoran: T 114.

Clerk of Council Smith:

**T 114-2014** AN ORDINANCE AUTHORIZING THE DONATION OF MUNICIPAL REAL PROPERTY AND ACCESSORY STRUCTURES TO THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE WIDENING AND IMPROVEMENT OF U.S. ROUTE 20 (CENTER RIDGE ROAD).

(Introduced by Mayor Gillock; Referred to B&L on 11/03/2014; B&L on 11/24/2014; Report accepted on 12/01/2014)

Law Director Crites: If I may Mr. President, if I can defer to the Safety-Service Director and the Engineer; I believe that we do need to adopt these tonight. The question is if the emergency is necessary? These are interests that are going to be necessary for the Center Ridge Road Widening Project. Do they need to be adopted tonight?

Safety-Service Director Armbruster: They need to be adopted probably the first meeting in January.

Law Director Crites: Okay, then let's let them go if we can.

President Corcoran: No problem. Done. T 115.

Clerk of Council Smith:

**T 115-2014** AN ORDINANCE AUTHORIZING THE DONATION OF MUNICIPAL REAL PROPERTY AND ACCESSORY STRUCTURES TO THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE WIDENING AND IMPROVEMENT OF U.S. ROUTE 20 (CENTER RIDGE ROAD).

(Introduced by Mayor Gillock; Referred to B&L on 11/03/2014; B&L on 11/24/2014; Report accepted on 12/01/2014)

President Corcoran: T 116.

Clerk of Council Smith:

**T 116-2014** AN ORDINANCE AUTHORIZING THE DONATION OF MUNICIPAL REAL PROPERTY AND ACCESSORY STRUCTURES TO THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE WIDENING AND IMPROVEMENT OF U.S. ROUTE 20 (CENTER RIDGE ROAD).

(Introduced by Mayor Gillock; Referred to B&L on 11/03/2014; B&L on 11/24/2014; Report accepted on 12/01/2014)

President Corcoran: T 122.

Clerk of Council Smith:

**T 122-2014** AN ORDINANCE REPEALING ORDINANCE NO. 5156-2014, WHICH INCREASED THE CREDIT FOR TAXES PAID TO ANOTHER MUNICIPALITY.

(Introduced by Mayor Gillock)

Councilman Boose: Point of clarification. The Ordinance is 5156 and the Clerk stated 516. That is for the record.

Auditor Costin: Mr. Chairman? I would recommend Council consider passing this tonight only to avoid any potential confusion in the future. Because, if we don't pass it tonight, it wouldn't be effective until next year and I don't know if it is absolutely necessary because the credit we had in our tax Ordinance was subject to its passage but since this is on here. To magnify that, I believe it would be in our best interests as a City to get it passed tonight.

Moved by Arndt and seconded by Boose to dispense with the second and third readings for T 122.

President Corcoran: Are there any comments or questions?

President Corcoran: The reason why we are doing this is because it has no effect anyway, we are just cleaning up our books.

Law Director Crites: May I? I think there is another reason that we are doing this. We want to make sure that the whole world knows that the credit does not exist. I think it is worth considering passing it with the emergency tonight because it would certainly serve the health, safety and welfare of the municipality to not get some profit seeking litigation coming our way in the beginning of the New Year saying that a credit was misapplied. The language drafted by our attorneys at Squire Patton Boggs is appropriate but this is a good belt to those suspenders that I think that we should pass tonight with the emergency.

President Corcoran: Thank you. All those in favor say yes. Those opposed say no.

Yes – 7                      No – 0

Moved by Arndt and seconded by Boose to adopt T 122.

Moved by Arndt and seconded by Boose to add the emergency clause to T 122 in order to eliminate any confusion or potential litigation that might exist outside.

President Corcoran: On the emergency clause, all those in favor say yes. Those opposed say no.

Yes – 7                      No – 0

President Corcoran: On the adoption of T 122 with the emergency clause, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5186-2014.**

Yes – 7                      No – 0

President Corcoran: Moving on now to T 124-2014 Amended.

Clerk of Council Smith:

**T 124-2014** AN ORDINANCE APPROPRIATING, VALUING, AND TAKING  
**Amended** IMMEDIATE POSSESSION OF AN INTEREST IN REAL PROPERTY FOR  
THE PURPOSE OF WIDENING AND EXPANDING LEAR NAGLE ROAD  
ACROSS REAL PROPERTY HAVING PERMANENT PARCEL NOS. 07-00-  
009-113-062 AND 07-00-009-113-024.

*(Introduced by Mayor Gillock)*

Moved by Olesen and seconded by Butkowski to dispense with the second and third readings for T 124 Amended.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7                      No – 0

Moved by Olesen and seconded by Butkowski to adopt T 124 Amended.

Moved by Olesen and seconded by Butkowski to add the emergency clause to T 124 Amended for the purposes of moving this eminent domain proceeding forward in a timely manner to meet the terms and needs of the project.

President Corcoran: On the emergency clause, all those in favor say yes. Those opposed say no.  
Yes – 6                      No – 1 (Boose)

President Corcoran: Clerk, please call the roll on the emergency clause.

Clerk of Council Smith: One no vote and six yes votes on the emergency clause.

President Corcoran: On the adoption of T 124 Amended with the emergency clause, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The motion passed and becomes **Ordinance number 5187-2014**.  
Yes – 6                      No – 1 (Boose)

President Corcoran: T 125.

Clerk of Council Smith:  
**T 125-2014** AN ORDINANCE APPROVING THE SALE OF CERTAIN PERSONAL  
PROPERTY OWNED BY THE CITY OF NORTH RIDGEVILLE PURSUANT  
TO O.R.C. SECTION 721.15(D).  
(Introduced by Mayor Gillock)

Councilman Olesen: Is there any reason not to put this through tonight and get it passed?

President Corcoran: There is no reason to push it forward either, is there?

Safety-Service Director Armbruster: There is no other reason than to move it out of the garage and make room for other stuff.

President Corcoran: Is it taking up a lot of space? Is it in the way?

Safety-Service Director Armbruster: Not necessarily. It is taking up space any air compressor would take.

President Corcoran: From the standpoint we are passing a lot of things by emergency, this one seems to be of low significance. Moving on to T 127.

Clerk of Council Smith:

**T 127-2014** A RESOLUTION DECLARING IT NECESSARY TO RENEW AN EXISTING TAX FOR THE PURPOSE OF GENERAL CONSTRUCTION, RECONSTRUCTION, RESURFACING AND REPAIR OF STREETS, ROADS AND BRIDGES IN THE CITY OF NORTH RIDGEVILLE, OHIO, PURSUANT TO SECTIONS 5705.03, 5705.19(G), AND 5705.191 OF THE OHIO REVISED CODE.

(Introduced by Mayor Gillock)

Councilman Boose: For clarification, that last section should be 5705.191.

President Corcoran: Thank you Mr. Boose.

Moved by Mayor Gillock and seconded by Boose to dispense with the second and third readings for T 127.

President Corcoran: Are there any comments or questions?

Mayor Gillock: T 127, T 128 and T 129 as I explained earlier, are the Resolutions of Necessity. It gives us the authority to send them over to the County Auditor to get the millage certified for the renewal of these three existing levies. These will be no new taxes. These have been around a long time but we have to renew them every five years. This is the first step in the process of putting this on the ballot. So we need these passed tonight with the emergency T 127, T 128 and T 129 so we can get this done in a timely manner. Thank you.

President Corcoran: Thank you Mayor. Are there any other comments or questions?

Auditor Costin: The only thing I would add to the Mayor's statement is 2015 is our last year of collection on these three levies. It is critical that we pass them and have as many opportunities as possible to do so.

President Corcoran: All those in favor say yes. Those opposed say no.

Yes – 7                      No – 0

Moved by Boose and seconded by Butkowski to adopt T 127.

Moved by Boose and seconded by Johnson to add the emergency clause to T 127 for the immediate preservation of the public health, safety and welfare of the City, and for the further reason that Resolution must be effective immediately so that it can be timely filed with the County Auditor and additional proceedings may be timely taken in order to submit the question of the levy to the electors at an election on May 5, 2015.

President Corcoran: On the emergency clause, all those in favor say yes. Those opposed say no.

Yes – 7                      No – 0

President Corcoran: On the adoption of T 127 with the emergency clause, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Resolution number 1322-2014.**

Yes – 7                      No – 0

President Corcoran: Moving on now to T 128.

Clerk of Council Smith:

**T 128-2014** A RESOLUTION DECLARING IT NECESSARY TO RENEW AN EXISTING TAX FOR THE PURPOSE OF PROVIDING AND MAINTAINING MOTOR VEHICLES, COMMUNICATIONS, AND OTHER EQUIPMENT USED DIRECTLY IN THE OPERATION OF THE POLICE DEPARTMENT OF THE CITY OF NORTH RIDGEVILLE, OHIO, AND THE PAYMENT OF SALARIES OF PERMANENT POLICE PERSONNEL OF THE CITY OF NORTH RIDGEVILLE, OHIO, PURSUANT TO SECTIONS 5705.03, 5705.19(J), AND 5705.191 OF THE OHIO REVISED CODE.

*(Introduced by Mayor Gillock)*

Moved by Butkowski and seconded by Olesen to dispense with the second and third readings for T 128.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7                      No – 0

Moved by Butkowski and seconded by Olesen to adopt T 128.

Moved by Butkowski and seconded by Olesen to add the emergency clause to T 128 for the immediate preservation of the public health, safety and welfare of the City, and for the further reason that Resolution must be effective immediately so that it can be timely filed with the County Auditor and additional proceedings may be timely taken in order to submit the question of the levy to the electors at an election on May 5, 2015.

President Corcoran: On the emergency clause, all those in favor say yes. Those opposed say no.

Yes – 7                      No – 0

President Corcoran: On the adoption of T 128 with the emergency clause, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Resolution number 1323-2014.**

Yes – 7                      No – 0

President Corcoran: Moving on now to T 129.

Clerk of Council Smith:

**T 129-2014** A RESOLUTION DECLARING IT NECESSARY TO RENEW AN EXISTING TAX FOR THE PURPOSE OF PROVIDING AND MAINTAINING FIRE APPARATUS, APPLIANCES AND BUILDINGS AND SITES THEREFOR AND FOR THE PAYMENT OF PERMANENT, PART-TIME AND VOLUNTEER FIREMEN, PURSUANT TO SECTIONS 5705.03, 5705.19(I) , AND 5705.191 OF THE OHIO REVISED CODE.

*(Introduced by Mayor Gillock)*

Moved by Butkowski and seconded by Olesen to dispense with the second and third readings for T 129.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7                      No – 0

Moved by Butkowski and seconded by Olesen to adopt T 129.

Moved by Butkowski and seconded by Olesen to add the emergency clause to T 129 for the immediate preservation of the public health, safety and welfare of the City, and for the further reason that Resolution must be effective immediately so that it can be timely filed with the County Auditor and additional proceedings may be timely taken in order to submit the question of the levy to the electors at an election on May 5, 2015.

President Corcoran: On the emergency clause, all those in favor say yes. Those opposed say no.

Yes – 7                      No – 0

President Corcoran: On the adoption of T 129 with the emergency clause, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Resolution number 1324-2014.**

Yes – 7                      No – 0

President Corcoran: Moving on now to T 130.

Clerk of Council Smith:

**T 130-2014** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 5108-2014, ORDINANCE NO. 5123-2014 AND ORDINANCE NO. 5170-2014 FOR THE CITY OF NORTH RIDGEVILLE, OHIO FOR THE PERIOD COMMENCING JANUARY 1, 2014 AND ENDING DECEMBER 31, 2014.

*(Introduced by Councilwoman Johnson)*



Moved by Johnson and seconded by Butkowski to dispense with the second and third readings for T 130.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7                      No – 0

Moved by Johnson and seconded by Butkowski to adopt T 130.

Moved by Johnson and seconded by Butkowski to add the emergency clause to T 130 for the preservation of the health, safety and welfare of the citizens of North Ridgeville.

President Corcoran: Chris, do you want to add a little explanation as to why the emergency clause is necessary.

Auditor Costin: So it is in full effect to finish off the year-end by December 31<sup>st</sup>.

President Corcoran: That is obvious. How about the appropriation of funds because the funds are necessary to keep the government running?

President Corcoran: On the emergency clause, all those in favor say yes. Those opposed say no.

Yes – 7                      No – 0

President Corcoran: On the adoption of T 130 with the emergency clause, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5188-2014.**

Yes – 7                      No – 0

President Corcoran: Moving on now to T 131.

Clerk of Council Smith:

**T 131-2014** AN ORDINANCE REPRESENTING REIMBURSEMENT OF  
ADMINISTRATIVE EXPENSES FROM VARIOUS FUNDS OF THE CITY  
OF NORTH RIDGEVILLE, OHIO.

*(Introduced by Councilwoman Johnson)*

Moved by Johnson and seconded by Olesen to dispense with the second and third readings for T 131.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7                      No – 0

Moved by Johnson and seconded by Olesen to adopt T 131.

Moved by Johnson and seconded by Olesen to add the emergency clause to T 131 for the preservation of the health, safety and welfare of the citizens of North Ridgeville.

President Corcoran: Mr. Costin, do you want to chime in on that one?

Auditor Costin: Same reason: to allow the legal transfer of monies on a timely basis by the end of December 31.

President Corcoran: And how about to move them to the appropriate fund. We want to be specific as we can.

President Corcoran: On the emergency clause, all those in favor say yes. Those opposed say no.

Yes – 7                      No – 0

President Corcoran: On the adoption of T 131 with the emergency clause, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5189-2014.**

Yes – 7                      No – 0

President Corcoran: Moving on now to T 132.

Clerk of Council Smith:

**T 132-2014** A RESOLUTION APPROVING ADVANCE REPAYMENTS OF VARIOUS FUNDS TO THE GENERAL FUND, OF THE CITY OF NORTH RIDGEVILLE, OHIO.

*(Introduced by Councilwoman Johnson)*

Moved by Johnson and seconded by Olesen to dispense with the second and third readings for T 132.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7                      No – 0

Moved by Johnson and seconded by Olesen to adopt T 132.

Moved by Johnson and seconded by Olesen to add the emergency clause to T 132 for the preservation of the health, safety and welfare of the citizens of North Ridgeville.

President Corcoran: On the emergency clause, all those in favor say yes. Those opposed say no.

Yes – 7                      No – 0

President Corcoran: On the adoption of T 132 with the emergency clause, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Resolution number 1325-2014.**

Yes – 7                      No – 0

President Corcoran: Moving on now to T 133.

Clerk of Council Smith:

**T 133-2014** A RESOLUTION APPROVING TRANSFERS FROM THE GENERAL FUND,  
OF THE CITY OF NORTH RIDGEVILLE, OHIO.

*(Introduced by Councilwoman Johnson)*

Moved by Johnson and seconded by Butkowski to dispense with the second and third readings for T 133.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7                      No – 0

Moved by Johnson and seconded by Butkowski to adopt T 133.

Moved by Johnson and seconded by Butkowski to add the emergency clause to T 133 for the preservation of the health, safety and welfare of the citizens of North Ridgeville and for the further reason of moving money from one fund to another.

Councilman Keenan: Mr. President, may I ask Mr. Costin a question? Is this transfer from the General Fund to Capital Fund triggered by collections and it is a percentage allocation according to...?

Auditor Costin: No, no, no this isn't income tax. What this is three things: we had two vehicles that were damaged during the year in which we had insurance proceeds and we had reimbursements for the cell tower. I believe it was \$18,000.00. We discussed it at a prior meeting. That money goes into the General Fund but we expended it out of the Capital Projects Fund. So we are reimbursing the Capital Projects Fund by this permanent transfer.

Councilman Keenan: Thank you.

President Corcoran: On the emergency clause, all those in favor say yes. Those opposed say no.

Yes – 7                      No – 0

President Corcoran: On the adoption of T 133 with the emergency clause, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Resolution number 1326-2014.**

Yes – 7                      No – 0

President Corcoran: Moving on now to T 134.

Clerk of Council Smith:

**T 134-2014** A RESOLUTION APPROVING TRANSFERS TO THE *PAYROLL AND BENEFITS RESERVE FUND*, OF THE CITY OF NORTH RIDGEVILLE, OHIO.

*(Introduced by Councilwoman Johnson)*

Moved by Johnson and seconded by Butkowski to dispense with the second and third readings for T 134.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7                      No – 0

Moved by Johnson and seconded by Butkowski to adopt T 134.

Moved by Johnson and seconded by Butkowski to add the emergency clause to T 134 for the preservation of the health, safety and welfare of the citizens of North Ridgeville.

President Corcoran: On the emergency clause, all those in favor say yes. Those opposed say no.

Yes – 7                      No – 0

President Corcoran: On the adoption of T 134 with the emergency clause, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Resolution number 1327-2014.**

Yes – 7                      No – 0

President Corcoran: Moving on now to T 135.

Clerk of Council Smith:

**T 135-2014** AN ORDINANCE PROVIDING FOR THE TEMPORARY APPROPRIATIONS OF MONEY FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF NORTH RIDGEVILLE, OHIO FOR THE PERIOD COMMENCING JANUARY 1, 2015 AND ENDING MARCH 31, 2015.

*(Introduced by Councilwoman Johnson)*

Moved by Johnson and seconded by Olesen to dispense with the second and third readings for T 135.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7                      No – 0

Moved by Johnson and seconded by Olesen to adopt T 135.

Moved by Johnson and seconded by Olesen to add the emergency clause to T 135 for the preservation of the health, safety and welfare of the citizens of North Ridgeville.

President Corcoran: Mr. Costin, to add further...

Auditor Costin: Yes, this will allow the City to operate beginning January 1<sup>st</sup> until the final appropriations are in place.

Councilman Boose: I had several conversations today with the Deputy Auditor and with the Auditor and as the Auditor stated, this funds us until the final appropriations are done for 2015. Basically what they do is they look at the expenditures they had through April of 2014 and match them up with some inflationary math and my calculations for the General Fund for example are at a four percent average depending on the category. That will give us, again, the ability to pay things until we find out actually how much money we have and what our priorities will be in 2015. Thank you.

President Corcoran: On the emergency clause, all those in favor say yes. Those opposed say no.

Yes – 7                      No – 0

President Corcoran: On the adoption of T 135 with the emergency clause, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5190-2014.**

Yes – 7                      No – 0

President Corcoran: Moving on now to T 136.

Clerk of Council Smith:

**T 136-2014** AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO ENTER INTO A CONTRACT WITH THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 2129, AFL-CIO.

*(Introduced by Mayor Gillock)*

Moved by Butkowski and seconded by Olesen to dispense with the second and third readings for T 136.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7

No – 0

Moved by Butkowski and seconded by Olesen to adopt T 136.

Moved by Butkowski and seconded by Olesen to add the emergency clause to T 136 in order to complete negotiations by the end of the year.

President Corcoran: Are there any comments or questions?

Councilman Keenan: Mr. President? I would like speak to this and I will speak to it briefly. It is a very thick agreement. The Mayor and Safety-Service Director and Law Director have done a good job working hard to represent the people's interest. Obviously the firefighters are a key department. It is what we do - one of things we do; one of our main services. I intend to vote in favor of this however, I think it is important to note that I am a long way from feeling content with the entire agreement. It is part of the process. There are a lot of increments inside of this 20, 30, 40 years of benefits that at one time seemed very appropriate and measured in today's standards, in my personal view, feel out of pace with the average Joe in our City. Therefore, I don't simply want to register a yes vote without registering my discomfort. There is work to be done yet and I applaud the Administration for what I believe is steady progress, however, there is more work to be done. I will be voting in favor of it. I just wanted to register my concern that there are things in here that still make me uncomfortable but we are not here to pick it apart one paragraph at a time. So I will in collection say yes.

Councilman Arndt: Mr. President, I would like to echo the same comment.

Councilman Boose: I would like to add on to what both Councilmen spoke just before me. It is a compromise. There are things within the contract that the firefighters were able to receive on their end; that the City was able to receive on our end. It was very good that not only the Mayor, Safety-Service Director, the Law Director but also the firefighters were able to get together and come to an agreement that we could all live with prior to the expiration of the current contract. Someone said it earlier: it is probably the first time in a long time that it has happened. We just went through a long legal process with the union, just this past year, in trying to get the last contract negotiated. It is good that we were able to come to an agreement this year so soon, but again, in its totality of it over the years; we have been able to make some concessions with the union and they have been able to make some concessions with us. Is it the perfect contract – no, but again, I think it is something that we can work towards improving over the years to come. Thank you.

President Corcoran: Thank you. Anybody else? On the emergency clause, all those in favor say yes. Those opposed say no.

Yes – 7

No – 0

President Corcoran: On the adoption of T 136 with the emergency clause, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5191-2014.**

Yes – 7

No – 0

President Corcoran: That is the end of first readings. There are no second readings.

**SECOND READINGS:** None.

**THIRD READINGS:**

Clerk of Council Smith:

**T 117-2014** AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN  
**Amended** AGREEMENT WITH AFSCME OHIO COUNCIL 8 TO AMEND THE  
COLLECTIVE BARGAINING AGREEMENT AS IT RELATES TO WAGE  
INCREASES AWARDED TO LICENSED BUILDING INSPECTORS.

*(Introduced by Mayor Gillock; Amended on the floor on 11/03/2014; First reading 11/17/2014; Second reading 12/01/2014)*

Moved by Butkowski and seconded by Olesen to adopt T 117-2014 Amended.

President Corcoran: Are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The measure passed unanimously and becomes **Ordinance number 5192-2014.**

Yes – 7

No – 0

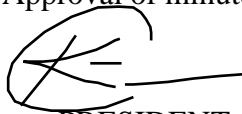
**MEETING ANNOUNCEMENTS:**

President Corcoran: Our next regular Council meeting will be on **Monday, January 5, 2015 at 7:30 P.M.** in Council Chambers. This being our last meeting of the year: happy holidays, Merry Christmas and happy New Year to everybody.

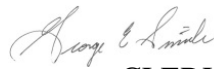
**ADJOURNMENT:**

President Corcoran: Seeing no other business to bring before the City this evening, the meeting is adjourned. The meeting was adjourned at 9:33 P.M.

Approval of minutes:



PRESIDENT OF COUNCIL



CLERK OF COUNCIL

EXHIBIT "A"

